

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL ACTION NO. 05-10224-GAO

UNITED STATES OF AMERICA,

v.

J.C. ANDERSON,
Defendant.

ORDER
July 8, 2010

O'TOOLE, D.J.

In light of Dillon v. United States, -- U.S. --, 2010 WL 2400109 (June 17, 2010), the defendant's Motion for Reduction of Sentence Under 18 U.S.C. § 3582(c)(2) (dkt. no. 81) is DENIED. Section 3582(c)(2) permits a court to reduce a sentence when it was "based on a sentencing range that has subsequently been lowered;" but does not permit a court to consider other sentencing issues, such as an Apprendi claim, that do not stem from a change in the guidelines. See also United States v. Lafayette, 585 F.3d 435, 436 (D.C. Cir. 2009).

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge